

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

MIDDLE TENNESSEE )  
OCCUPATIONAL AND )  
ENVIRONMENTAL MEDICINE, INC. )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
FIRST HEALTH GROUP CORP. )  
 )  
Defendant. )

Case No. 3-05-0218  
Judge Echols

ORDER

For the reasons stated in the Memorandum entered contemporaneously herewith, the Court rules as follows:

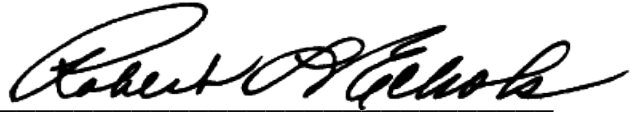
(1) Defendant First Health Group Corp.'s Renewed Motion to Dismiss (Docket Entry No. 14) is hereby GRANTED IN PART AND DENIED IN PART;

(2) Plaintiff's claims for conversion under Count One; for violation of the Tennessee Consumer Protection Act under Count Three; and for unjust enrichment under Count Four of the Amended Complaint (Docket Entry No. 12) are hereby DISMISSED WITH PREJUDICE;

(3) Defendant's Renewed Motion to Dismiss Plaintiff's request for a Declaratory Judgment as set forth in Count Two of the Amended Complaint is DENIED; and

(4) This case is referred to the Magistrate Judge for further pretrial management in accordance with Local Rule 11.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Robert L. Echols", written in a cursive style.

ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE